

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EON THOMPSON,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.

Case No. 1:21-cv-08202 (JLR)

AMENDED ORDER

JENNIFER L. ROCHON, United States District Judge:

The parties have requested clarification regarding the Court's Order at ECF No. 97, dated October 20, 2022. ECF No. 98. This Amended Order shall supersede the Order filed on October 20, 2022.

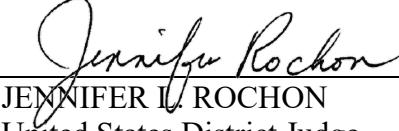
The Court is in receipt of the parties' joint letter, dated October 19, 2022, filed in response to the Court's September 28, 2022 Reassignment Order. ECF No. 95. As the parties describe in their letter, on May 15, 2022, Defendants' filed a pre-motion letter requesting a conference to discuss their anticipated motion to dismiss. ECF No. 65. On June 6, 2022, Plaintiff, who is proceeding *pro se*, requested leave to file a Second Amended Complaint within 65 days of the date of any order granting such request. ECF No. 82. Under Federal Rule of Civil Procedure 15(a), "leave to amend should be 'freely given,' and a *pro se* litigant in particular should be afforded every reasonable opportunity to demonstrate that he has a valid claim." *Dluhos v. Floating & Abandoned Vessel, Known as New York*, 162 F.3d 63, 69 (2d Cir. 1998). Accordingly, Plaintiff's request is granted in part. Because this litigation has been pending since October 21, 2021, yet no discovery has taken place, Plaintiff shall endeavor to file the Second Amended Complaint expeditiously, but no later than **December 5, 2022**. IT IS FURTHER ORDERED that Defendants' request for a pre-motion conference is denied without prejudice to refile after December 5, 2022.

Additionally, in light of the issues involving effective service in this litigation, the Court believes that referral to a Magistrate Judge to coordinate service and discovery would help to efficiently advance this litigation. Therefore, by separate Order already filed on the docket, the Court will refer the parties to the Magistrate Judge for general pretrial and non-dispositive motions.

The Clerk of Court is respectfully directed to terminate the motion pending at ECF No. 65 and to mail a copy of this Order to Plaintiff.

Dated: October 25, 2022
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge